

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

JESSE L. LOSEY,

Plaintiff,

v.

DANNIE THOMPSON, Warden;
TIFFANY NAIL; LINDA BASS;
and GWENDOLYN BROWN,

Defendants.


CIVIL ACTION NO.: CV612-078

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. Defendants Bass, Brown, and Nail filed a response to Plaintiff's Objections. In his Objections, Plaintiff largely reiterates the same contentions as he did in his Second Amended Complaint and in opposition to Movants' Motion for Judgment on the Pleadings. As noted by the Magistrate Judge, Plaintiff's allegations do not rise to the level of establishing a constitutional violation. The undersigned recognizes Plaintiff's assertion that Georgia law bars his tort claim; however, Plaintiff's allegations simply do not rise to the level of a constitutional violation. Permitting Plaintiff the opportunity to conduct discovery would not transform his negligence claim into one for deliberate indifference.

Plaintiff's Objections are without merit. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. The Motion for Judgment on the Pleadings filed by Defendants Bass, Brown, and Nail is **GRANTED**. Plaintiff's claims against Defendants Bass, Brown, and Nail are **DISMISSED**. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 20 day of Nov, 2012.


B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA